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**UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA DIVISION**

TANYA GERSH,

Plaintiff,

v.

ANDREW ANGLIN,

Defendant.

Case No. 9:17-cv-00050-DLC-KLD

**PLAINTIFF'S NOTICE OF
SUBMITTAL**

Plaintiff Tanya Gersh provides notice to the Court that Plaintiff's Motion to Compel Defendant to Respond to Plaintiff's Post-Judgment Discovery Requests (Dkt. 228, 229) is ripe for decision, as set forth below.

On December 11, 2020, Plaintiff moved for an order to compel Defendant Andrew Anglin to immediately and completely without further objection or delay respond to two sets of Plaintiff's post-judgment discovery requests: (i) Plaintiff's Second Set of Interrogatories, and (ii) Plaintiff's Second Requests for Production of Documents ("the Motion"). (Dkt. 228.) Plaintiff also moved this Court to sanction Defendant pursuant to Rule 37(b) for his continued lack of cooperation with discovery. (*Id.*) In support of the Motion, Plaintiff filed a brief with exhibits. (Dkt. 229.) The undisputed evidence shows Defendant provided no response to the requested post-judgment discovery, which was targeted to aid Plaintiff in obtaining information necessary for the purpose of enforcing this Court's judgment against Anglin for compensatory and punitive damages. (*See* Dkt. 215.) Defendant also ignored Plaintiff's attempts to meet and confer to resolve these issues. (*See* Dkt. 228.)

Defendant's response to the Motion was due December 28, 2020. Local Rule 7.1(d)(1)(B)(ii). Defendant did not file a request for an extension of the time to file a response nor has Defendant filed a response. The Defendant's "failure to file a response brief may be deemed an admission that the motion is

well-taken.” *Id.* Because the time for response has closed without a response being filed, the Motion is unchallenged and ripe for ruling. Local Rule 7.1(d)(1)(D).

Because Defendant has not filed a response to Plaintiff’s Motion, Plaintiff has no reason to file a reply brief. Accordingly, Plaintiff provides notice to this Court that Plaintiff’s Motion to Compel Defendant to Respond to Plaintiff’s Post-Judgment Discovery Requests is ripe for decision.

Respectfully submitted this 12th day of January, 2021.

DATED: January 12, 2021

**PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP**

BY:

/s/Daniel J. Kramer

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CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing document was filed with the clerk of the court for the United States District Court for the District of Montana through the Court's CM/ECF filing system, and by virtue of this filing notice will be sent electronically to all counsel of record. I further certify that on this date the foregoing document was served upon Defendant Andrew Anglin via Fed-Ex at all his known mailing addresses.

DATED: January 12, 2021

/s/Daniel J. Kramer
Attorney for Plaintiff Tanya Gersh
on behalf of all Attorneys for Plaintiff